

EDMUND G. BROWN JR.
Attorney General of the State of California
DANE R. GILLETTE
Chief Assistant Attorney General
JULIE L. GARLAND
Senior Assistant Attorney General
ANYA M. BINSACCA, State Bar No. 189613
Supervising Deputy Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 703-5713
Fax: (415) 703-5843
Email: Anya.Binsacca@doj.ca.gov

Attorneys for Respondent

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JODY D. PATTERSON,

Petitioner,

v.

BEN CURRY, Warden,

Respondent.

C 07-5579 RMW

**RESPONDENT'S REQUEST FOR
EXTENSION OF TIME TO FILE
RESPONSIVE PLEADING;
DECLARATION OF COUNSEL;
PROPOSED ORDER**

Judge: The Honorable Ronald M. Whyte

For the reasons given in the attached declaration of counsel, Respondent respectfully requests a forty-five day extension of time in which to file a responsive pleading.

Dated: April 7, 2008

Respectfully submitted,

EDMUND G. BROWN JR.
Attorney General of the State of California

/s/ Anya Binsacca

ANYA M. BINSACCA
Supervising Deputy Attorney General
Attorneys for Respondent

DECLARATION OF COUNSEL

I, ANYA BINSACCA, declare as follows:

1. I am an attorney admitted to practice before the courts of the State of California. I am employed by the California Attorney General's Office as a Supervising Deputy Attorney General in the Correctional Writs and Appeals Section, and supervise the team assigned to represent respondent in this case.

2. According to this Court's February 12, 2008 Order to Show Cause, Respondent's responsive pleading is due on April 9, 2008.

3. Although this Court issued the Order to Show Cause on February 12, the Attorney General's Office did not receive it until April 1, 2008. A paralegal has opened the case and ordered the required documents. However, additional time is necessary to receive and review the documents, order any needed follow-up documents, and prepare a responsive pleading.

4. For these reasons, Respondent respectfully requests a forty-five day extension of time, to and including May 26, 2008, to file a responsive pleading.

5. This request for an extension of time is not made for the purpose of harassment or undue delay or for any improper reason. No other request for an extension of time has been made in this case.

6. Petitioner is confined in state prison and cannot easily be contacted about an extension of time.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on April 7, 2008, in San Francisco, California.

/s/ Anya Binsacca
ANYA BINSACCA
Supervising Deputy Attorney General

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Resp.'s Req. for Ext. of Time

Patterson v. Curry
C 07-5579 RMW

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: *Patterson v. Curry*

No.: U. S. D. C., N. D., SAN JOSE DIV., C 07-5579 RMW

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On April 8, 2008, I served the attached

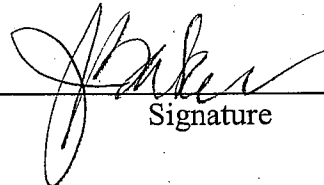
1. **RESPONDENT'S REQUEST FOR EXTENSION OF TIME TO FILE
RESPONSIVE PLEADING; DECLARATION OF COUNSEL; PROPOSED
ORDER**
2. **[PROPOSED ORDER]**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

**Jody D. Patterson, E-88649
Correctional Training Facility
P.O. Box 689
Soledad, CA 93960-0689
In Pro Per**

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on **April 8, 2008**, at San Francisco, California.

J. Baker
Declarant


Signature